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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,907	08/28/2002	Cheng-Kuei Chen	8978-US-PA	9007

31561 7590 03/06/2006

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE  
7 FLOOR-1, NO. 100  
ROOSEVELT ROAD, SECTION 2  
TAIPEI, 100  
TAIWAN

EXAMINER

LEE, CHEUKFAN

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/064,907

Applicant(s)

CHEN ET AL.

Examiner

Cheukfan Lee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 August 2002.  
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 1-3,5 and 6 is/are allowed.  
6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.  
7) ☒ Claim(s) 4 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

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1. Claims 1-6 are pending. Claim 1 is independent.
2. This application is in condition for allowance except for the following formal matters:

- a) The title of the invention is objected to for not being descriptive.

The title, "Method for determining restored position", is not descriptive of the claimed invention. A key word such as – reading – or – scanning -- should be inserted before "position".

- b) The drawings should show a flowchart of the claimed method. See M.P.E.P., 37 CFR§ 1.83

- c) In claim 4, line 3, "a part of the pixels are" should read – a part of the pixels is --.

**Claim 4 is objected to in this Office Action.**

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

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3. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the prior art of record. The closest prior art Yokochi (U.S. Patent No. 6,972,876) discloses a method for determining a restored reading position after stopping the scanner head, the method comprising stopping the scanner head and defining a position (K) where the scanner head stops at a restored position, and controlling the directions of the drive motor. However, Yokochi does not disclose also defining a data of the document scanned at the restored position as a restored graphic data and comparing the restored graphic data to a graphic data obtained after moving the scanner head back and then forth with a first distance and a second distance smaller than the first distance, respectively, to select a graphic data closest to the restored graphic data defined as a connecting graphic data, and then connecting the connecting graphic data with graphic data scanned thereafter with the restored graphic data as claimed.

Claims 2-6 depend on claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Yokochi (U.S. Patent No. 6,972,876), "Image reading apparatus", discussed in section 3

Huang (U.S. Patent No. 6,615,115), "Method of reducing scanning discontinuity"

Bianchi et al. (U.S. Patent No. 5,744,795), "Illumination strobing in a scanner to improve image sharpness and power consumption", (col. 4, stop, back up, and restart)

Kikuchi (U.S. Patent No. 6,992,459), "Stepping motor controlling apparatus and method, and image reading apparatus and method", (col. 15, lines 15-25, memory full, motor stops, image has no distortion)

Rindsig et al. (U.S. Patent No. 6,262,816), "Scanner start and stop"

Hamilton (U.S. Patent No. 6,462,842), "Apparatus, method, and computer program for increasing scanner data throughput"

Tang et al. (U.S. Patent No. 5,943,139), "Method for adjusting scanning speed of a scanner"

Murai et al. (U.S. Patent No. 5,517,331), "Method and apparatus for reading image of image scanner-reader"

Neale et al. (U.S. Patent No. 6,335,807), "Scanner carriage stop/start artifact suppression system and method"

Nagano et al. (U.S. Patent No. 6,160,636), "Image reading apparatus"

Kuwahara (U.S. Patent No. 6,603,579), "facsimile apparatus"

Akada et al. (U.S. Patent No. 5,726,762), "Copying machine with memory output start time control"

Miyajima (U.S. Patent No. 6,388,777), "Digital image reading apparatus"

Cardot et al. (U.S. Patent No. 6,750,991), "Dynamic document feeder system and method for maximizing scanning throughput"

Stevens (U.S. Patent No. 5,572,335), "Method and system for transferring image data between two devices having different bandwidths"

Ochiai (U.S. Patent No. 5,801,839), "Facsimile apparatus having means for controlling the reading, storing and transmission of image data"

Koide et al. (U.S. Patent No. 6,870,566), "Image sensing system for sensing an image and converting the image into image signals with a controlled operating rate"

Stein et al. (U.S. Patent No. 5,239,387), "Buffering control for accommodating variable data exchange rates"

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee  
February 27, 2006

  
*Cheukfan Lee*